

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	: CRIMINAL NO. _____
v.	: DATE FILED: _____
JOAN BARANEK	: VIOLATIONS:
	18 U.S.C. § 1341 (mail fraud -- 1 count)
	26 U.S.C. § 7206(1) (filing false income tax return -- 1 count)

INFORMATION

COUNT ONE

THE UNITED STATES ATTORNEY CHARGES THAT:

1. At all times relevant to this information, defendant JOAN BARANEK was a vice president for sales at Airgas Safety, Inc., ("Airgas"), a subsidiary of Airgas, Inc., based in Levittown, Pennsylvania.

2. In her capacity as a vice president of sales, defendant JOAN BARANEK was responsible for designing and managing a sales incentive program for telesales centers (call centers). For the incentives program, defendant BARANEK purchased gift cards and other award prizes with her personal American Express card, and then submitted expense reports to Airgas for reimbursement. In support of her expense reports, defendant BARANEK attached invoices for the gift cards and award prizes to the expense reports.

3. At least as early as approximately July 2010, expense reimbursement checks from Airgas were mailed to defendant BARANEK's residence in Yardley, Pennsylvania, from an outsourced payment processing center in Oregon.

THE SCHEME

4. From in or about May 2006 to in or about December 2012, defendant

JOAN BARANEK

devised and intended to devise a scheme to defraud Airgas, and to obtain money and property by means of false and fraudulent pretenses, representations and promises.

MANNER AND MEANS

It was part of the scheme that:

5. Defendant JOAN BARANEK altered invoices or even created fictitious invoices, which she attached to her expense reports so as to obtain reimbursement for alleged promotional expenses that she never incurred. From approximately May 2006 to December 2012, defendant BARANEK submitted approximately 200 expense reports claiming a total of \$1.8 million in promotional expenses; of these, approximately 121 of the reports contained altered, fictitious, or duplicate invoices in support of the expensed promotional items, for a total of approximately \$830,504 of fraudulent expenses.

6. On or about February 2, 2012, in Levittown, in the Eastern District of Pennsylvania, defendant

JOAN BARANEK,

for the purpose of executing the scheme described above, and attempting to do so, knowingly caused to be delivered by mail according to the directions thereon, a check drawn on an Airgas' account at Bank of America, payable to defendant BARANEK for \$8,432.02, for reimbursement of promotional expenses allegedly incurred by defendant BARANEK which in fact she never incurred, documented on an expense report that was fictitious.

In violation of Title 18, United States Code, Section 1341.

COUNT TWO

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

On or about February 25, 2009, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

JOAN BARANEK

willfully made and subscribed a United States income tax return, Form 1040, for the calendar year 2008, which was verified by a written declaration that it was made under the penalty of perjury and filed with the Director, Internal Revenue Service Center, at Philadelphia, Pennsylvania, which defendant BARANEK did not believe to be true and correct as to every material matter, in that the return reported that her taxable income was \$155,419, when, as defendant BARANEK knew, her actual taxable income was significantly more, i.e., approximately \$360,944.

In violation of Title 26, United States Code, Section 7206(1).

ZANE DAVID MEMEGER
United States Attorney